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BENNETT, BRICKLIN & SALTZBURG LLP
 BY: LOUIS E. BRICKLIN, ESQUIRE ATTORNEY FOR THIRD PARTY DEFENDANT
 ATTORNEY I.D. NO. 20281 WOOLEVER BROTHERS TRANSPORTATION
 BY: BETH A. CARTER, ESQUIRE
 ATTORNEY I.D. No. 85632
 1601 MARKET STREET, 16TH FLOOR
 PHILADELPHIA, PA 19103-2393
 TELEPHONE: (215) 561-4300

NORTHLAND INSURANCE COMPANY : IN THE UNITED STATES DISTRICT
 : COURT FOR THE MIDDLE
 vs. : DISTRICT OF PENNSYLVANIA
 :

LINCOLN GENERAL INSURANCE :
 COMPANY : CIVIL ACTION NO. 1:01-cv-763

vs.

J. Kane

WOOLEVER BROTHERS
 TRANSPORTATION, INC.

**FILED
 HARRISBURG**

AUG 24 2001

MARY E. D'ANDREA, CLE
 Per *gtg*
 DEPUTY CLERK

**MOTION OF THIRD PARTY DEFENDANT WOOLEVER BROTHERS
 TRANSPORTATION, INC. FOR AN EXTENSION OF TIME TO ANSWER THIRD
 PARTY COMPLAINT**

Third Party Defendant, Woolever Brothers Transportation Inc., by and through its attorneys, Bennett, Bricklin & Saltzburg, LLP, hereby moves this Honorable Court for a thirty (30) day extension in which to answer the Third Party Complaint and in support of its motion avers as follows:

1. As a result of a motor vehicle accident which occurred in November 1995, two personal injury actions were filed in the Court of Common Pleas of Schuylkill Count at Docket numbers S-650-1996 and S-1689-1997 against defendants, J.H.M. Enterprises, Inc., Vernice L. Statts and Woolever Brothers Transportation, Inc. (hereinafter "Woolever").

2. Northland Insurance Company (hereinafter "Northland") retained the law firm of Bennett, Bricklin & Saltzburg, LLP to defend Woolever under a Northland Insurance policy in

both actions.

3. Lincoln General Insurance Company (hereinafter "Lincoln") defended J.H.M. Enterprises, Inc. and Vernice L. Statts in both actions.

4. Lincoln and Northland agreed to each advance \$675,000.00 (a total of \$1,350,000.00) to settle both actions, while reserving all rights to seek reimbursement from the other pending determination of the coverage issues involved in the case.

5. Thereafter, Northland brought the instant action against Lincoln.

6. On or about August 2, 2001, Lincoln instituted this third party action against Woolever Brothers Transportation, Inc. (hereinafter "Woolever").

7. Woolever was served with a copy of the Third Party Complaint on August 13, 2001.

8. Thereafter, Woolever contacted Bennett, Bricklin & Saltzburg, LLP seeking its representation in the defense of the third party action brought by Lincoln.

9. As is obvious, Bennett, Bricklin & Saltzburg, LLP is unable to represent Woolever in the instant action as a true conflict exists as Bennett, Bricklin & Saltzburg, LLP was hired by Northland to defend Woolever in the underlying actions and attorneys from Bennett, Bricklin & Saltzburg, LLP may be called as witnesses to testify in the instant action.

10. Therefore, Woolever, requests a thirty day (30) extension of time to answer the Third Party Complaint in order to find new counsel with the help of Bennett, Bricklin & Saltzburg, LLP.

11. Counsel for third party plaintiff, Lincoln, Jonathan H. Rudd, Esquire, has authorized the undersigned to advise the court that he does not have an objection to a thirty day extension being granted.

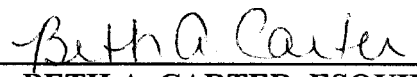
12. If said extension of time is not granted, Woolever will be severely prejudiced as it

will have to answer the Third Party Complaint without the services of counsel.

WHEREFORE, third party defendant, Woolever Brothers Transportation, Inc. requests a thirty (30) day extension in which to answer the Third Party Complaint of Lincoln General Insurance Company.

BENNETT, BRICKLIN & SALTZBURG, LLP

BY: 
LOUIS E. BRICKLIN, ESQUIRE

BY: 
BETH A. CARTER, ESQUIRE
Attorneys for Third Party Defendant,
Woolever Brothers Transportation, Inc.

BENNETT, BRICKLIN & SALTZBURG LLP

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ATTORNEY FOR THIRD PARTY DEFENDANT

WOOLEVER BROTHERS TRANSPORTATION

NORTHLAND INSURANCE COMPANY :	IN THE UNITED STATES DISTRICT
vs. :	COURT FOR THE MIDDLE
:	DISTRICT OF PENNSYLVANIA
:	:
LINCOLN GENERAL INSURANCE :	
COMPANY :	CIVIL ACTION NO. 1:01-cv-763
:	:
vs. :	:
:	:
WOOLEVER BROTHERS :	
TRANSPORTATION, INC. :	
:	

**MEMORANDUM OF LAW IN SUPPORT OF MOTION OF THIRD PARTY
DEFENDANT WOOLEVER BROTHERS TRANSPORTATION, INC. FOR AN
EXTENSION OF TIME TO ANSWER THIRD PARTY COMPLAINT**

Third Party Defendant, Woolever Brothers Transportation Inc., by and through its attorneys, Bennett, Bricklin & Saltzburg, LLP, hereby moves this Honorable Court for a thirty (30) day extension in which to answer the Third Party Complaint and in support of its motion avers as follows:

As a result of a motor vehicle accident which occurred in November 1995, two personal injury actions were filed in the Court of Common Pleas of Schuylkill Count at Docket numbers S-650-1996 and S-1689-1997 against defendants, J.H.M. Enterprises, Inc., Vernice L. Statts and Woolever Brothers Transportation, Inc. (hereinafter "Woolever").

Northland Insurance Company (hereinafter "Northland") retained the law firm of Bennett, Bricklin & Saltzburg, LLP to defend Woolever under a Northland Insurance policy in both

actions.

Lincoln General Insurance Company (hereinafter "Lincoln") defended J.H.M. Enterprises, Inc. and Vernice L. Statts in both actions. Lincoln and Northland agreed to each advance \$675,000.00 (a total of \$1,350,000.00) to settle both actions, while reserving all rights to seek reimbursement from the other pending determination of the coverage issues involved in the case.

Thereafter, Northland brought the instant action against Lincoln. On or about August 2, 2001, Lincoln instituted this third party action against Woolever Brothers Transportation, Inc. (hereinafter "Woolever"). Woolever was served with a copy of the Third Party Complaint on August 13, 2001. Thereafter, Woolever contacted Bennett, Bricklin & Saltzburg, LLP seeking its representation in the defense of the third party action brought by Lincoln.

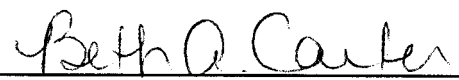
As is obvious, Bennett, Bricklin & Saltzburg, LLP is unable to represent Woolever in the instant action as a true conflict exists as Bennett, Bricklin & Saltzburg, LLP was hired by Northland to defend Woolever in the underlying actions and attorneys from Bennett, Bricklin & Saltzburg, LLP may be called as witnesses to testify in the instant action.

Therefore, Woolever, requests a thirty day (30) extension of time to answer the Third Party Complaint in order to find new counsel with the help of Bennett, Bricklin & Saltzburg, LLP. Counsel for third party plaintiff, Lincoln, Jonathan H. Rudd, Esquire, has authorized the undersigned to advise the court that he does not have an objection to a thirty day extension being granted. If said extension of time is not granted, Woolever will be severely prejudiced as it will have to answer the Third Party Complaint without the services of counsel.

WHEREFORE, third party defendant, Woolever Brothers Transportation, Inc. requests a thirty (30) day extension in which to answer the Third Party Complaint of Lincoln General Insurance Company.

BENNETT, BRICKLIN & SALTZBURG, LLP

BY: 
LOUIS E. BRICKLIN, ESQUIRE

BY: 
BETH A. CARTER, ESQUIRE
Attorneys for Third Party Defendant,
Woolever Brothers Transportation, Inc.

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WOOLEVER BROTHERS TRANSPORTATION

NORTHLAND INSURANCE COMPANY :

vs.

LINCOLN GENERAL INSURANCE
COMPANY

vs.

WOOLEVER BROTHERS
TRANSPORTATION, INC.

IN THE UNITED STATES DISTRICT
COURT FOR THE MIDDLE
DISTRICT OF PENNSYLVANIA

CIVIL ACTION NO. 1:01-cv-763

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within motion for an extension of time to answer the third party complaint was served on counsel below named by United States first-class mail on the following date:

David Ira Rosenbaum, Esquire
Ruthrauff & Armbrust, P.C.
1601 Market Street, 16th Fl.
Philadelphia, PA 19103

Jonathan H. Rudd, Esquire
McNees, Wallace & Nurick, LLC
P.O. Box 1166
100 Pine Street
Harrisburg, PA 17108-1166

BENNETT, BRICKLIN & SALTZBURG LLP

By: Beth A. Carter

DATE: 8/21/01

BETH A. CARTER, ESQUIRE
Attorneys for Third Party Defendant